

CA 1
-1987
A13





Government
of Canada Gouvernement
du Canada

Government
Publication

CA1
- 1987
A13

Action Items contained in
the Government's Response
to the
Parliamentary Committee Report
on Access and Privacy

October 1987

Canada



Digitized by the Internet Archive
in 2022 with funding from
University of Toronto

<https://archive.org/details/31761115513772>

SUMMARY

The federal government has announced measures to control use of the Social Insurance Number (SIN) and steps it will take to ensure that personal information of Canadians is protected at a time when new computer-based technology is developing rapidly and posing a threat to privacy. These initiatives are outlined in "Access and Privacy: The Steps Ahead", the government's response to the Parliamentary Committee report on access to information and privacy.

The government also outlined a number of major initiatives it will take to strengthen and improve public access to information held in federal institutions and to protect personal information.

Action will be taken to control the use of SIN numbers; extend the Privacy Act to Crown corporations; ensure better management of information holdings in government departments; restrict government institution data-matching and linkage by means of computers, and clarify provisions for the protection of personal information required by public service conflict of interest guidelines. In addition, the government will work closely with the provincial and territorial governments to promote the implementation of the OECD guidelines for the protection of personal information in the public and private sectors.

The government will act to ensure easier access to government held-information by extending the right of access under both Acts to all those individuals in Canada who were not previously included; encouraging federal public servants to be more receptive to the philosophy of openness under the Access to Information Act and aware of their obligations under the Privacy Act and by making the public aware of their rights under both Acts.

MORE CONTROL ON SOCIAL INSURANCE NUMBERS

Growing concern by all Canadians about the use of social insurance numbers has been addressed.

Initially, the SIN was required for the Canada Pension Plan and Unemployment Insurance. Now it is required for income tax, old age security, family allowances, excise tax, student loans, and for federal elections. It is also being used extensively in other public sectors and by the private sector.

It is recognized that Canadians do not want the SIN to become a universal identification number. To this end, the federal government will

- . require all federal departments and agencies to obtain Treasury Board approval for any current use of SIN not authorized by statute or regulation;
- . prohibit the collection and use of SIN by any federal department and agency for any new administrative purpose, unless authorized by law;
- . inform Canadians of the uses of the SIN which are required by federal statute or regulation;
- . tell individuals why it is requesting the SIN and whether or not it is required by law;
- . require that no right, benefit or privilege be withheld from and no penalty be imposed on any individual for refusal to disclose their SIN number to a government institution, except where its provision is required by law.

The government will pursue the application of similar controls throughout the rest of the public and private sectors.

PRIVACY ACT TO COVER CROWN CORPORATIONS

Because of its fundamental importance, the Privacy Act, like the Official Languages Act and the Canadian Human Rights Act will be extended to include Crown Corporations and their wholly-owned subsidiaries.

PUBLIC SERVICE CONFLICT OF INTEREST DECLARATIONS COVERED

At the present time, the government is satisfied that information on conflict of interest declarations by federal government employees is protected under the Privacy Act. However, technical changes will be made to the Act to make this explicit.

RIGHT OF ACCESS EXTENDED

The government will extend the right of access under both Acts to all those individuals in Canada who were not previously included. Under the Access to Information Act, this right will also be extended to entities like corporations and associations in Canada.

PUBLIC TO BE BETTER INFORMED ABOUT THEIR RIGHTS

Canadians cannot assert their rights under the Privacy and Access to Information Acts unless they know them. Public awareness campaigns will be launched to heighten knowledge of both Acts.

Canadians will be informed of all available avenues for getting government information, and that the Access to Information Act is intended to be used as a last resort. Public education will be added to the mandates of the Information Commissioner and the Privacy Commissioner.

PUBLIC INTEREST DISCLOSURE

Results of product and environmental testing done by the government for its own activities will be easier for Canadians to obtain.

Trade secrets, like other business-related information, will be subject to disclosure when required by the public interest in health, safety or the environment.

Third parties seeking to overturn a government decision to disclose business information via the courts will have to demonstrate to the court why it should be withheld.

NO FORMS, NO APPLICATION FEES, NEW LISTS

The government will continue to provide access under the Privacy Act free of charge, and to reinforce this, it will strike the provision for fees from the Act. The \$5 application fee which must accompany a request made under the Access to Information Act will be abolished. The government has also done away with the use of official forms for requests under the Access to Information Act.

Under the Access to Information Act, fees for photocopying and other reproduction services will be based on market rates; criteria will be established for the waiver of fees taking into account factors such as whether the dissemination will benefit public health, safety or the protection of the environment.

An index to government information sources and an index of personal information banks will be made available on a computer data base to facilitate access. A list of records which have already been disclosed as a result of access to information requests will be available.

SENSITIVITY AND RESPONSIVENESS OF FEDERAL PUBLIC SERVANTS

The government will develop an education program for public servants to make them fully aware of their responsibilities under the Privacy Act and to foster the principles of openness on which the Access to Information Act is based.

More education and training programs will be offered to help Access and Privacy Coordinators to better perform their duties and assist requestors to the greatest extent possible.

Additional support will be given to coordinators and their staffs in order to help them give advice, justify decisions, and have direct access to senior officials for the efficient and timely processing of requests.

The government will monitor the impact of all changes to ensure that the information needs and privacy requirements are being met.

3 1761 115513772

UDOHANG
50125
MADE IN U.S.A.